

1 **McDONALD ADRAS, LLC.**
PATRICK E. McDONALD, Esq.
2 601 South Seventh Street
Las Vegas, Nevada 89101
3 702-385-7227
Attorney for Defendant

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5 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

6 UNITED STATES OF AMERICA,)
Plaintiff,) 2:10-CR-578-PMP-RJJ
7)
v.) **STIPULATION TO CONTINUE**
8) **TRIAL DATE**
LINDA LIVOLSI,) **(Fifth Request)**
9)
Defendant.)
10 _____)

11 **IT IS HEREBY STIPULATED AND AGREED**, by and between PATRICK E.
12 McDONALD, ESQ., counsel for defendant Linda Livolsi, and MICHAEL CHU, Assistant United
13 States Attorney, counsel for the United States of America, that trial and calendar call be vacated and
14 continued to a date and time convenient to this Court, but not sooner than 90 days: (1) the calendar
15 call presently scheduled for February 22, 2012, at 9:00 a.m; and (2) the trial currently scheduled for
16 February 28, 2012, at 9:00 am. This stipulation is entered into for the following reasons:

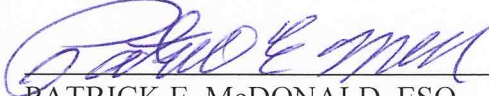
- 17 1. That Counsel for Defendant was just retained and is awaiting discovery from prior
18 counsel. Once received counsel will need additional time to review it to conduct legal research.
- 19 2. The Parties need additional time to prepare for trial in the case including conducting
20 legal research. The Parties also need additional time to continue exploring full resolution of the
21 matter without going to trial.
- 22 3. The Defendant and the Government agree to the continuance.
- 23 4. This is the 5th request for a continuance of the trial date but the 1st for newly appointed
24 counsel.

- 1 5. Defendant is not in custody but does not object to a continuance of the trial date.
- 2 6. Denial of this request for a continuance could result in a miscarriage of justice.
- 3 7. The additional time requested by this stipulation is excludable in computing the time
- 4 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§
- 5 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and
- 6 3161(h)(7)(B)(iv).

7 DATED February 10, 2012.

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11 PATRICK E. McDONALD, ESQ.
Counsel for Linda Livolsi

DANIEL BOGDEN
United States Attorney


DANIEL BOGDEN
United States Attorney
MICHAEL CHU
Assistant U.S. Attorney

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Chu
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MICHAEL CHU
Assistant United States Attorney
Counsel for the United States

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,) 2:10-CR-578-PMP-RJJ
4 Plaintiff,)
5 v.) **ORDER TO CONTINUE and**
6 LINDA LIVOLSI,) **FINDINGS OF FACT &**
Defendant.) **CONCLUSIONS OF LAW**
_____)

7 **FINDINGS OF FACT**

8 Based on the pending stipulation of counsel, and good cause appearing therefore, the Court
9 hereby finds that:

10 1. That Counsel for Defendant was just retained and is awaiting discovery from prior
11 counsel. Once received counsel will need additional time to review it to conduct legal research.

12 2. The Parties need additional time to prepare for trial in the case including conducting
13 legal research. The Parties also need additional time to continue exploring full resolution of the
14 matter without going to trial.

15 3. The Defendant and the Government agree to the continuance.

16 4. This is the 5th request for a continuance of the trial date but the 1st for newly appointed
17 counsel.

18 5. Defendant is not in custody but does not object to a continuance of the trial date.

19 6. Denial of this request for a continuance could result in a miscarriage of justice.

20 7. The additional time requested by this stipulation is excludable in computing the time
21 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§
22 3161(h)(7)(A), when considering the factors under 18 U.S.C. §§ 3161(h)(7)(B)(i) and
23 3161(h)(7)(B)(iv).
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CONCLUSIONS OF LAW

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2 1. For all of the above-stated reasons, the ends of justice would best be served by a
3 continuance of the trial date.

4 2. The additional time requested by this stipulation is excludable in computing the time
5 within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C.
6 §§3161(h)(7)(A), when considering the factors under 18 U.S.C. §§3161(h)(7)(B)(i) and
7 3161(h)(7)(B)(iv).

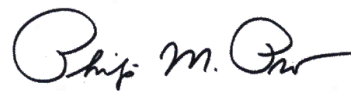
ORDER

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9 **IT IS THEREFORE ORDERED** that the calendar call presently scheduled for February
10 22, 2012, at 9:00 a.m., setting be vacated, continued and reset for
11 Wednesday, July 18, 2012, at 9:00 a.m. in Courtroom 7C.

12 **IT IS FURTHER ORDERED** that the trial currently scheduled for February 28, 2012, at
13 9:00 a.m. is vacated, and reset for Tuesday, July 24, 2012, at 9:00 a.m. in Courtroom 7C.

14 **THERE SHALL BE NO FURTHER CONTINUANCES GRANTED.**

15 DATED this _ 13th day of February, 2012.

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UNITED STATES DISTRICT JUDGE
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